

**ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

March 31, 2021

3:17 p.m.

DRAFT

MEMBERS PRESENT

Representative Zack Fields, Co-Chair
Representative Ivy Spohnholz, Co-Chair
Representative Calvin Schrage
Representative Liz Snyder (via teleconference)
Representative David Nelson
Representative James Kaufman
Representative Ken McCarty

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 126

"An Act extending the termination date of the Board of Public Accountancy; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 111

"An Act relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date."

- MOVED HB 111 OUT OF COMMITTEE

HOUSE BILL NO. 151

"An Act relating to unemployment benefits during a period of state or national emergency resulting from a novel coronavirus disease (COVID-19) outbreak; and providing for an effective date."

- MOVED HB 151 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 126

SHORT TITLE: EXTEND BOARD OF PUBLIC ACCOUNTANCY

SPONSOR(s): REPRESENTATIVE(s) THOMPSON

03/05/21	(H)	READ THE FIRST TIME - REFERRALS
03/05/21	(H)	L&C, FIN
3/31/21	(H)	L&C AT 3:15 PM BARNES 124

BILL: HB 111

SHORT TITLE: DENTAL HYGIENIST ADVANCED PRAC PERMIT

SPONSOR(s): REPRESENTATIVE(s) SPOHNHOLZ

02/24/21	(H)	READ THE FIRST TIME - REFERRALS
02/24/21	(H)	L&C, FIN
03/29/21	(H)	L&C AT 3:15 PM BARNES 124
03/29/21	(H)	Heard & Held
03/29/21	(H)	MINUTE(L&C)
3/31/21	(H)	L&C AT 3:15 PM BARNES 124

BILL: HB 151

SHORT TITLE: UNEMPLOYMENT BENEFITS FOR COVID-19

SPONSOR(s): LABOR & COMMERCE

03/26/21	(H)	READ THE FIRST TIME - REFERRALS
03/26/21	(H)	L&C, FIN
03/29/21	(H)	L&C AT 3:15 PM BARNES 124
03/29/21	(H)	Heard & Held
03/29/21	(H)	MINUTE(L&C)
3/31/21	(H)	L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

REPRESENTATIVE STEVE THOMPSON

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, introduced HB 126.

KRIS CURTIS, Legislative Auditor

Legislative Audit Division

Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 126.

LESLIE SCHMITZ, Chair

Alaska Board of Public Accountancy

Anchorage, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 126.

DON RULIEN, Member

Alaska Society of Certified Public Accountants

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 126.

SARA CHAMBERS, Director

Division of Corporations, Business, and Professional Licensing

Department of Commerce, Community & Economic Development

Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 126.

KATRINA VIRGIN, President

Alaska Dental Hygienists' Association

Kodiak, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 111.

DAVID LOGAN, DDS, Executive Director

Alaska Dental Society

Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 111.

SANDON FISHER, Attorney

Legislative Legal Services

Legislative Affairs Agency

Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 111.

LENNON WELLER, Economist

Research and Analysis Section

Division of Administrative Services

Department of Labor and Workforce Development

Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 151.

PATSY WESTCOTT, Director

Central Office

Division of Employment and Training Services

Department of Labor and Workforce Development

Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 151.

MEGAN HOLLAND, Staff
Representative Ivy Spohnholz
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 151 on behalf of Representative Spohnholz, prime sponsor.

CARA DURR, Director of Public Engagement
Food Bank of Alaska
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 151.

TREVOR STORRS, President and CEO
Alaska Children's Trust
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 151.

ACTION NARRATIVE

[3:17:34 PM](#)

CO-CHAIR FIELDS called the House Labor and Commerce Standing Committee meeting to order at 3:17 p.m. Representatives Nelson, Spohnholz, Fields, McCarty, Schrage, Kaufmanm and Snyder (via teleconference) were present at the call to order.

HB 126-EXTEND BOARD OF PUBLIC ACCOUNTANCY

[3:18:15 PM](#)

CO-CHAIR FIELDS announced that the first order of business would be HOUSE BILL NO. 126, "An Act extending the termination date of the Board of Public Accountancy; and providing for an effective date."

[3:18:30 PM](#)

REPRESENTATIVE STEVE THOMPSON, Alaska State Legislature, introduced HB 126 as prime sponsor, explaining that it would extend the termination date for the Board of Public Accountancy for eight years until June 30, 2029, as recommended by a legislative audit. He read excerpts from the sponsor statement, which read as follows [original punctuation provided]:

Legislative Audit conducted their review of this board and concluded that "...the board served the public's interest by conducting meetings in accordance with state laws, amending certain regulations to improve the public accountancy occupation, and effectively licensing and regulating certified public accountants and partnerships/corporations engaged in the practice of public accountancy."

Extending the Board of Public Accountancy is critical in protecting the public interest by ensuring that only qualified persons are licensed, and that appropriate standards of competency and practice are established and enforced.

3:20:26 PM

KRIS CURTIS, Legislative Auditor, Division of Legislative Audit, explained that the purpose of the audit is to determine whether a board or commission is serving the public's interest and whether its termination date should be extended. She stated that the audit concluded that the board served the public's interest by conducting meetings in accordance with state laws, amending certain regulations to improve the public accountancy occupation, and effectively licensing and regulating certified public accountants (CPAs) and partnerships or corporations engaged in public accountancy. She said that the recommended extension is eight years.

MS. CURTIS directed attention to page 5 of the audit report [included in the committee packet], showing licensing statistics for the board. As of January 31, 2020, there were 1,328 active licenses and permits, a 10 percent increase when compared to the prior sunset audit in 2012. She noted that Alaska is one of the few states that doesn't require a social security number for licensure; consequently, the board receives many international applicants, which accounts for the increase. She then directed attention to page 7, showing a schedule of revenues and expenditures, and noted that the board had a surplus at the end of fiscal year 2019 (FY 19) of just over \$84,000. She directed attention to page 11 and noted that there is one recommendation for improvement, which read as follows [original punctuation provided]:

Recommendation No. 1: DCBPL's chief investigator should ensure investigations are completed timely.

Forty of the 101 cases open or opened from July 1, 2016, through January 31, 2020, were open over 180 days. Five of the 40 were evaluated by auditors. Two of five investigative cases selected for review had unjustified periods of inactivity ranging from 64 to 219 days. According to DCBPL staff, the inactivity was the result of turnover and competing priorities. Auditors also noted that supervisory review of outstanding investigations was not documented in the case files as required by DCBPL procedure, indicating that the reviews did not occur or did occur but were not documented.

MS. CURTIS said that response from the Department of Commerce, Community, and Economic Development (DCCED) begins on page 21. She stated that the DCCED commissioner agrees with the report conclusions, except for the finding that 40 percent of investigations took over six months to complete. The response stated that the Division of Corporations, Business, and Professional Licensing (DCBPL) has no control over how an investigation will unfold or how long it will take and has no policy stating a specific timeframe of completion. The commissioner did agree, however, to authorize an additional supervisor to help reduce caseloads. Ms. Curtis also noted that the commissioner didn't agree with the audit's conclusion that the use of technology impacted board operations, saying that technology tools have been successful for all of the boards. The response from the chair of the Alaska Board of Public Accountancy begins on page 25, Ms. Curtis said, and highlights a disagreement between the board and DCCED regarding what constitutes "essential travel."

MS. CURTIS stated that auditing standards require that, in cases where management disagrees with an audit, the auditor must respond; her response, she said, begins on page 27. She said, "I explained that the report conclusions regarding technology's negative impact on the board operations was based on the auditor's observation of a board meeting in February 2020, and discussions with the board members." In response to the commissioner's comments on the investigations, she said, "Management has a responsibility to implement controls over the investigative process to ensure the accuracy, due process, and timely completion of an audit."

[3:25:34 PM](#)

REPRESENTATIVE MCCARTY expressed his understanding that there are investigations taking over 180 days, and DCBPL is of the opinion that staying within 180 days is not that important.

MS. CURTIS read a quote from the DCCED commissioner, found on page 21, which read [original punctuation provided]:

While a noble goal, the department finds the inference that all investigative matters should be completed within six months is unreasonable and unattainable in many situations. The agency is more concerned with ensuring the facts are correctly obtained in each matter and that due process is secured than ensuring the speed of concluding investigations meets an arbitrary goal.

MS. CURTIS said that her response read, "I agree that accuracy and due process are essential to an investigation; however, investigations should also be timely. Some may argue that timeliness is critical to due process." She described the six-month timeframe as a performance measure that was developed over prior administrations, and she said that one of the objectives of the audit was determining how efficiently the complaints have been addressed. She noted that there could be valid reasons for periods of inactivity, such as awaiting a response from an expert or having a competing priority. She said that the audit only highlighted periods of unjustified inactivity. The question of "What would be a good performance measure?" has been discussed over previous administrations, and the 180-day timeframe is in the board's procedures; therefore, she said, it's "odd" to receive that response.

REPRESENTATIVE MCCARTY surmised that the board is operating appropriately, and that DCBPL is of greater concern.

MS. CURTIS answered, "Yes, this is [DCCED's] support for the board, which is reviewed at the same time we reviewed the board."

[3:29:02 PM](#)

REPRESENTATIVE KAUFMAN referred to Ms. Curtis's explanation that the significant increase in the number of licenses since the previous sunset audit is because Alaska does not require a social security number. He asked for further explanation.

MS. CURTIS responded that it's a policy call. She said that the report also stated that the number of new licenses issued from FY 17 to FY 19 increased 36 percent compared to the three prior years. She said that the increase was notable enough to lead to more questions.

REPRESENTATIVE KAUFMAN said that a social security number provides a certain level of "traceability," and he said that he would like to know more.

[3:30:39 PM](#)

CO-CHAIR SPOHNHOLZ, referencing the schedule of revenues and expenditures on page 7, noted that there's volatility from year to year due to biannual renewals. She said asked about the total number of licenses renewed.

MS. CURTIS replied that the licenses are on a biannual renewal schedule, with the renewals happening every other year, which is standard practice with occupational boards.

CO-CHAIR SPOHNHOLZ asked if an extension shorter than eight years was considered.

MS. CURTIS said that it wasn't considered because there are typically systematic issues in boards and, in every aspect other than timeliness, the board is operating effectively.

CO-CHAIR SPOHNHOLZ asked about any liability issues arising from taking more than six months to complete 40 percent of investigations.

MS. CURTIS explained that the Board of Public Accountancy doesn't deal with aspects of health or safety. Some of the cases are likely dealing with lower-priority issues such as continuing education or unlicensed activity, with the biggest risk coming from complaints of unqualified or incompetent license holders. She said that the audit didn't include a review of the specific nature of the complaints, and expressed that she is not surprised that the cases of this board take longer because, in the big picture, they're less important compared to the cases of other boards.

[3:33:56 PM](#)

REPRESENTATIVE KAUFMAN asked whether or not it is the policy for investigations to finish in 180 days.

MS. CURTIS replied that the policy is quoted on page 28 of the report, and read as follows [original punctuation provided]:

Investigative actions (regardless of category) open over 180 days must be reviewed by supervisory staff (Senior Investigators) to determine what (if anything) remains to be done to complete the action and to spur a discussion of possible means to resolve the action.

MS. CURTIS said that it's an internal control that's been changed since the audit was done.

[3:35:35 PM](#)

LESLIE SCHMITZ, Chair, Alaska Board of Public Accountancy, said she is currently serving her eighth and final year on the board. She expressed gratitude for the recommendation of the maximum extension. She stated that the board makes "every effort" to interact with stakeholders and licensees, as well as to stay active at the national level to address issues affecting the profession. She said that the board maintains ongoing projects to update and modernize its statutes and regulations.

[3:36:29 PM](#)

DON RULIEN, Member, Alaska Society of Certified Public Accountants, said that in March 2021 he completed his second four-year term on the Alaska Board of Public Accountancy. He stated his belief that the board is an integral part of providing protection to the public and ensures that all CPAs meet the requirements put forth by statutes and regulations, protecting the public's interest for all financial matters concerning Alaskans.

[3:37:32 PM](#)

CO-CHAIR SPOHNHOLZ asked Mr. Rulien whether he has any concerns about the timeliness of investigations, as identified in the audit report.

MR. RULIEN replied that each investigation is different, with some of them taking longer than the average of three months. He mentioned that the seasonality of the industry can make it more difficult to get information, and that CPAs normally have a good rapport with the investigators. He said that while he would like investigations to go more quickly, it's difficult.

3:38:49 PM

REPRESENTATIVE MCCARTY asked whether investigation cases come to board members for review before the investigation moves on to the next step.

MR. RULIEN replied that the case goes first to the board, which determines whether or not to investigate. If the board determines an investigation is in order, he said, it's "out of our hands," and once the investigation is concluded it's reviewed before going to the board for a vote.

REPRESENTATIVE MCCARTY asked whether there are individual board members reviewing the cases.

MR. RULIEN responded that there are sometimes multiple investigations occurring, so board members take turns reviewing the cases on their own before presenting to the full board at a meeting.

3:40:28 PM

REPRESENTATIVE MCCARTY asked why there exists a fiscal note on the proposed legislation.

3:41:00 PM

SARA CHAMBERS, Director, Division of Corporations, Business, and Professional Licensing, Department of Commerce, Community & Economic Development, responded that all of the fund sources require a fiscal note to reflect the cost of the board aspect of the licensing program. This fiscal note, she said, is not funds being requested from the legislature but an expenditure authority for the licensing fees.

REPRESENTATIVE MCCARTY asked, "Are you saying that to manage the board of over 600 people it's only going to cost \$25,000?"

MS. CHAMBERS explained that the board is a group of seven people appointed by the governor and that the licensing program is the administrative program to license individuals. According to state law, she said, DCCED would assume regulation of the licensing program if the board sunsets. She clarified that this audit was only of the governance of the board, not the licensing itself.

[HB 126 was held over.]

HB 111-DENTAL HYGIENIST ADVANCED PRAC PERMIT

[3:43:16 PM](#)

CO-CHAIR FIELDS announced that the next order of business would be HOUSE BILL NO. 111, "An Act relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date."

[3:43:40 PM](#)

REPRESENTATIVE SPOHNHOLZ explained that HB 111 would create an advanced practice permit allowing experienced, licensed dental hygienists to provide preventative oral health care to underserved populations, as well as to those who are eligible for public assistance, are homebound, or who live in an underserved community. She said that the permit would be available to dental hygienists who have a minimum of 4,000 hours of applied clinical experience and are approved by the Alaska Board of Dental Examiners.

[3:44:30 PM](#)

REPRESENTATIVE MCCARTY recalled that the last time HB 111 was presented, he had asked for clarification on the 4,000 hours.

REPRESENTATIVE SPOHNHOLZ expressed that there was a miscommunication. She said that a dental hygienist goes through an educational program, becomes a licensed dental hygienist, and then can practice in the community under the supervision of a dentist. HB 111 would create an advanced practice permit that would require 4,000 hours of clinical experience. She introduced Ms. Virgin to provide more clarity on the matter.

[3:46:15 PM](#)

KATRINA VIRGIN, President, Alaska Dental Hygienists' Association, said that Representative McCarty's assertion that the requirement of 8,000 hours is incorrect; the requirement would be 4,000 of clinical experience under the supervision of a dentist.

3:47:09 PM

REPRESENTATIVE MCCARTY expressed understanding of the requirement of 4,000 hours of clinical experience and five or more years in the field, but said that he doesn't see educational requirements in the proposed legislation. He then said that after the previous committee meeting, he studied the other states with an advanced practice permit equivalent, in an effort to understand their criteria. He shared his perception that the other states have higher criteria than Alaska would have under the proposed legislation, and mentioned being concerned about reciprocity. He asked Ms. Virgin to address the concern.

MS. VIRGIN characterized the requirements under HB 111 as "double" what the other states mandate. For example, she said, Washington's advanced practice permit requires two years' experience, which is approximately the same as what is proposed under HB 111. Maine's advanced practice permit, established in 2008, requires 2,000 hours of clinical experience. Massachusetts' permit, established in 2009, asks for 3 years' experience. Connecticut's permit, established in 1999, requires 2 years' experience. Colorado's permit, established in 1987, has no additional requirements after graduation.

REPRESENTATIVE MCCARTY asked whether all of the aforementioned states require a bachelor's degree to be a dental hygienist.

MS. VIRGIN replied that they do not.

REPRESENTATIVE MCCARTY expressed understanding that some other states require a dental hygienist to have a bachelor's degree, take special courses, and pass an exam on law and ethics. He said that he doesn't see such language in the proposed legislation.

MS. VIRGIN said that she's not sure what he's referring to as far as continuing education required by other states. She said that Alaska requires continuing education credits in order for dental hygienists to renew their licenses, which is every two years.

REPRESENTATIVE MCCARTY agreed that dental hygienists have continuing education requirements, but he said that he doesn't know how many credits are required. He expressed understanding that obtaining the advanced practice permit under HB 111 would

mean having the ability to practice independently and stated that the permit would come with higher standards for the practitioner. He expressed concern about how to ensure public safety. He stated that other states require a certain amount of experience and "almost double" the continuing education requirements, and that an individual would hold a dental hygienist license as well as an advanced license. He then restated his perception that the standard for advanced practice dental hygienists in Alaska would be lower than the standards in other states, and expressed concern that such a dental hygienist from Alaska would not be recognized in another state.

[3:52:41 PM](#)

REPRESENTATIVE SPOHNHOLZ offered to clarify that HB 111, in creating the advanced practice permit requiring 4,000 hours of clinical practice on top of a bachelor's degree, would be the highest standard in the nation for this type of permit. She pointed out that Ms. Virgin explained that other states require between 2,000 and 3,000 hours of clinical experience, while Alaska would require 4,000. She said that Ms. Virgin also stated that not every state requires a bachelor's degree to become a dental hygienist, and said that achieving a bachelor's degree is the first step in the process, followed by 4,000 hours of clinical experience, followed then by the application for the advanced practice permit. She stressed that the standards under HB 111 would be the highest in the nation, and she expressed reluctance at the idea of "backing up" standards in Alaska in order to establish reciprocity with other states. She reiterated her earlier statement that this proposed legislation is the result of a carefully crafted compromise between the Alaska Dental Hygienists' Association and the Alaska Dental Society.

[3:54:01 PM](#)

REPRESENTATIVE KAUFMAN asked Ms. Virgin to comment on AS 08.36.075, which establishes standards regarding dental radiological equipment, and how it would translate to the statutes amended by HB 111.

MS. VIRGIN directed attention to an amendment which would change page 2, line 17, of the proposed legislation and quoted, "expose and develop radiography, and maintain and register dental radiological equipment as provided in AS 08.36.075." She said that it refers to current statutes and regulations already in effect.

[3:55:40 PM](#)

REPRESENTATIVE SPOHNHOLZ added that there is a draft amendment addressing radiological equipment.

CO-CHAIR FIELDS suggesting returning to the question of radiological equipment after the amendments.

REPRESENTATIVE KAUFMAN said, "That specific amendment is not present."

REPRESENTATIVE SPOHNHOLZ said that if Representative Kaufman was not satisfied with the answer, an amendment could be offered to reference the specific statute. She also said that dental hygienists in the state of Alaska are already required to adhere to AS 08.36.075, and that she's comfortable amending the proposed legislation to be more specific, if necessary.

REPRESENTATIVE KAUFMAN said that he would like the amendment in order to avoid confusion.

[3:56:54 PM](#)

REPRESENTATIVE SNYDER, referring to the earlier comments from Representative McCarty regarding possible license reciprocity, asked whether dental hygienists moving from other states would "not necessarily be required" to have earned their license following achievement of a bachelor's degree.

MS. VIRGIN replied, "That is correct."

[3:57:39 PM](#)

CO-CHAIR FIELDS asked Mr. Logan to confirm that the Alaska Dental Society is comfortable with the proposed legislation. He said that he wants to ensure expansion of services to underserved areas without destabilizing the market for established dentists.

[3:58:18 PM](#)

DAVID LOGAN, DDS, Executive Director, Alaska Dental Society, stated that the Alaska Dental Society supports HB 111. He expressed that all health care practitioners should be used at their "best and highest levels," and the proposed legislation is

an opportunity for dental hygienists to expand their practice opportunities while filling a need in underserved communities.

[3:59:04 PM](#)

The committee took an at-ease from 3:59 p.m. to 4:00 p.m.

[4:00:46 PM](#)

CO-CHAIR FIELDS moved to adopt Amendment 1 to HB 111, labeled 32-LS0480\A.1, Fisher, 3/30/21, which read as follows:

Page 3, line 31, through page 4, line 1:
Delete all material.

Reletter the following subsection accordingly.

[4:01:03 PM](#)

REPRESENTATIVE KAUFMAN objected for the purpose of discussion.

[4:01:08 PM](#)

CO-CHAIR FIELDS explained that he has concerns that the term "independent contractor" could have implications regarding labor laws. He said that he developed Amendment 1 in coordination with Representative Spohnholz, and he asked for her confirmation that Amendment 1 is a friendly amendment.

[4:01:48 PM](#)

REPRESENTATIVE SPOHNHOLZ agreed that Amendment 1 is a friendly amendment.

[4:02:06 PM](#)

REPRESENTATIVE MCCARTY noted that an advanced dental hygienist could be an employer, which means different labor laws would apply.

CO-CHAIR FIELDS responded that the passage of House Bill 79 during the Thirtieth Alaska State Legislature codified decades of case law in terms of the relationship between employees, independent contractors, and employers. He said that it's best to follow that statute for consistency.

[4:03:18 PM](#)

REPRESENTATIVE SPOHNHOLZ stated that Amendment 1 would not prohibit an advanced practice dental hygienist from establishing a business.

REPRESENTATIVE MCCARTY asked whether the language regarding being an independent contractor is needed.

CO-CHAIR FIELDS said it is not needed.

REPRESENTATIVE KAUFMAN asked why the language was originally written into the proposed legislation.

CO-CHAIR FIELDS replied it was intended to refer to a dental hygienist practicing independently, without the direct supervision of a dentist; however, the intention has been adequately addressed in other sections of the bill.

REPRESENTATIVE SPOHNHOLZ said, "That is correct."

[4:04:56 PM](#)

REPRESENTATIVE KAUFMAN removed his objection to the motion to adopt Amendment 1. There being no further objection, Amendment 1 was adopted.

[4:05:03 PM](#)

CO-CHAIR FIELDS asked if anyone else objected to Amendment 1. There being no further objection, Amendment 1 was adopted.

[4:05:09 PM](#)

REPRESENTATIVE KAUFMAN moved to adopt Amendment 2, labeled 32-LS0180\A.7, Fisher, 3/30/21, which read as follows:

Page 3, line 1:
Delete "receive"
Insert "access"

[4:05:12 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion.

[4:05:17 PM](#)

REPRESENTATIVE KAUFMAN explained that Amendment 2 would change the accuracy of the subsection.

[4:05:29 PM](#)

REPRESENTATIVE SPOHNHOLZ expressed that the word "access" is more precise, therefore, she supports Amendment 2.

[4:05:39 PM](#)

CO-CHAIR FIELDS removed his objection. There being no further objection, Amendment 2 was adopted.

[4:06:02 PM](#)

The committee took a brief at-ease.

[4:06:52 PM](#)

REPRESENTATIVE KAUFMAN moved to adopt Amendment 3, labeled 32-LS0480\A.8, Fisher, 3/30/21, which read as follows:

Page 2, lines 5 - 29:

Delete all material and insert:

"Sec. 08.32.125. Advanced practice permits. (a)

The board may issue an advanced practice permit to a licensed dental hygienist with a minimum of 4,000 documented hours of clinical experience. A licensed dental hygienist holding an advanced practice permit may

(1) promote oral health and provide disease prevention education and oral systemic health education;

(2) remove calcareous deposits, accretions, and stains from the exposed surfaces of the teeth beginning at the epithelial attachment by scaling and polishing techniques;

(3) apply topical preventive or prophylactic agents, including silver diamine fluoride, fluoride varnishes, and pit and fissure sealants;

(4) remove marginal overhangs;

(5) perform preliminary charting and triage to formulate a dental hygiene assessment and dental hygiene treatment plan;

(6) expose and develop radiographs;

(7) use local periodontal therapeutic agents;
(8) perform nonsurgical periodontal therapy;
(9) screen for oral cancer;
(10) if certified by the board, administer local anesthetic agents;
(11) prescribe
(A) fluoride that is applied or provided to a patient; and
(B) chlorhexidine or a similar antibacterial rinse; and
(12) delegate dental operations and services to a dental assistant as provided in AS 08.36.346."

[4:06:55 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion.

[4:06:56 PM](#)

REPRESENTATIVE KAUFMAN said that the language of Amendment 3 is intended to "bring forth the full scope" of practices allowed by a dental hygienist with an advanced practice permit under HB 111.

[4:07:18 PM](#)

REPRESENTATIVE SPOHNHOLZ moved to adopt Amendment 1 to Amendment 3, labeled 32-LS0480\A.11, Fisher, 3/31/21, which read as follows:

Page 1, line 10 of the amendment:
Delete "exposed"

[4:07:21 PM](#)

CO-CHAIR FIELDS objected for purposes of discussion.

[4:07:23 PM](#)

REPRESENTATIVE SPOHNHOLZ said that, while the overall intent of Amendment 3 is acceptable, she had a concern about the use of "exposed" when it comes to teeth. She said that there are some elements of dental hygiene which require going below the surface

of the epithelial attachment, which would not be possible with the adoption of Amendment 3 as written.

[4:08:06 PM](#)

CO-CHAIR FIELDS removed his objection. There being no further objection, Amendment 1 to Amendment 3 was adopted.

[4:08:16 PM](#)

CO-CHAIR FIELDS removed his objection to Amendment 3, as amended. There being no further objection, Amendment 3, as amended, was adopted.

[4:08:26 PM](#)

REPRESENTATIVE MCCARTY moved to adopt Amendment 4, labeled 32-LS0480\A.3, Fisher, 3/30/21, which read as follows:

Page 2, line 7, following "experience":

Insert "in addition to attained dental hygienist hours"

Page 4, line 31, through page 5, line 2:

Delete all material and insert:

"(10) permitted a dental assistant employed by or working under the supervision of a dental hygienist who holds an advanced practice permit issued by the board under AS 08.32.125 to perform a dental procedure in violation of AS 08.32.110 or AS 08.36.346;"

Page 6, line 10:

Delete "hygiene"

Insert "hygienist"

[4:08:30 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion.

[4:08:35 PM](#)

REPRESENTATIVE MCCARTY said that Amendment 4 addresses his confusion regarding the number of hours of clinical experience required to attain the advanced practice permit.

[4:09:15 PM](#)

REPRESENTATIVE SPOHNHOLZ stated that what she believes Representative McCarty's desired outcome is would not be achieved by Amendment 4. She said that, with respect to page 4, line 31, through page 5, line 2, Amendment 4 would limit censure to an advanced practice permit dental hygienist, rather than all hygienists. The underlying language of HB 111, she said, allows censure for inappropriate behavior for all dental hygienists, rather than only those holding an advanced practice permit.

[4:10:11 PM](#)

REPRESENTATIVE MCCARTY requested an at-ease.

[4:10:15 PM](#)

The committee took an at-ease from 4:10 p.m. to 4:12 p.m.

[4:12:36 PM](#)

REPRESENTATIVE MCCARTY asked Ms. Virgin whether page 4, line 31, of HB 111, refers to a dental hygienist employing a dental assistant. He then asked whether there are dental hygienists who employ dental assistants.

MS. VIRGIN responded that in Alaska it is not currently the case; however, in other states, dental hygienists often employ assistants.

[4:14:11 PM](#)

REPRESENTATIVE SPOHNHOLZ directed attention to Section 3 of HB 111, beginning on page 4, line 5, noting that it would amend AS 08.32.160, [regarding grounds for discipline, suspension, or , which read:

The board may revoke or suspend the license of a dental hygienist, or may reprimand, censure, or discipline a licensee, if, after a hearing, the board finds that the licensee

REPRESENTATIVE SPOHNHOLZ then directed attention to proposed paragraph (10), on page 4, line 31 through page 5, line 2, which read as follows:

(10) permitted a dental assistant employed by a dental hygienist or working under the supervision of a dental hygienist to perform a dental procedure in violation of AS 08.32.110 or AS 08.36.346;

REPRESENTATIVE SPOHNHOLZ said that the way Amendment 4 is drafted would prohibit the Board of Dental Examiners from holding accountable dental hygienists who supervise dental assistants and allow them to do work beyond their training.

REPRESENTATIVE MCCARTY stated his understanding that the state of Alaska currently doesn't allow dental hygienists to have employees.

REPRESENTATIVE SPOHNHOLZ pointed out the language "or working under the supervision of a dental hygienist", and said that it is common practice for a dental hygienist to supervise a dental assistant, as the assistant has less education and legal authority to perform certain procedures. She said that Amendment 4 would limit censure to only advanced practice dental hygienists, rather than allowing all dental hygienists to be censured. In response to Representative McCarty's follow-up question, Representative Spohnholz explained, "Because all advanced practice dental hygienists will also be dental hygienists, I think the language is broad enough to ensure that an advanced practice dental hygienist who employs a dental assistant, and also a dental hygienist who is not an advanced practice dental hygienist, but who supervises a dental assistant, in both cases they would be able to be censured for inappropriate delegation of responsibilities."

REPRESENTATIVE MCCARTY asked, "If we do not put in the term defining it 'advanced,' does that not open up this ... a dental hygienist could now start employing when it hasn't existed before?"

[4:17:55 PM](#)

SANDON FISHER, Attorney, Legislative Legal Services, Legislative Affairs Agency, explained that under HB 111, a dental hygienist with an advanced practice permit could hire a dental assistant, as evidenced by the language of Section 4, subsection (c).

REPRESENTATIVE MCCARTY expressed his belief that the language of Section 4, subsection (c), needs to be reworked.

[4:19:52 PM](#)

CO-CHAIR FIELDS told Representative McCarty to either withdraw Amendment 4 and rework it, or the committee can vote on it.

[4:20:10 PM](#)

REPRESENTATIVE KAUFMAN expressed being confused by Amendment 4.

[4:20:44 PM](#)

REPRESENTATIVE SPOHNHOLZ expressed that the wording of Amendment 4 is unclear and could complicate the proposed legislation moving forward. She suggested withdrawing Amendment 4 and adding a conceptual amendment on page 4, line 31, so that the paragraph would read:

(10) permitted a dental assistant employed by an advanced practice permit dental hygienist or working under the supervision of a dental hygienist to perform a dental procedure in violation of AS 08.32.110 or AS 08.36.346;

REPRESENTATIVE SPOHNHOLZ said that this would clarify that an advanced practice permit holder would be able to employ dental assistants, and that a dental hygienist in a regular dental practice could supervise dental assistants.

[4:21:52 PM](#)

CO-CHAIR FIELDS asked Representative McCarty if he is amenable to that suggestion.

REPRESENTATIVE MCCARTY expressed his agreement.

CO-CHAIR FIELDS asked Representative Spohnholz to move her suggestion as a conceptual amendment to Amendment 4.

REPRESENTATIVE SPOHNHOLZ said that she would prefer Amendment 4 be withdrawn.

[4:22:10 PM](#)

REPRESENTATIVE MCCARTY withdrew Amendment 4 and said, "I believe we did not talk about page 6, line 10."

CO-CHAIR FIELDS suggested addressing it later.

[4:22:39 PM](#)

REPRESENTATIVE SPOHNHOLZ moved to adopt Amendment 5, labeled 32-LS0480\A.9, Fisher, 3/30/21, which read as follows:

Page 2, line 3, following "AS 08.36.346":

Insert "or that a licensed dental hygienist who holds an advanced practice permit issued by the board under AS 08.32.125 may delegate to a dental assistant under AS 08.36.346(c)"

REPRESENTATIVE SPOHNHOLZ said that Amendment 5 was recommended by the Alaska Dental Society to add clarity about the ability of dental hygienists to assign tasks to a dental assistant.

[4:22:54 PM](#)

CO-CHAIR FIELDS objected then withdrew his objection. There being no further objection, Amendment 5 was adopted.

[4:23:07 PM](#)

REPRESENTATIVE KAUFMAN moved to adopt Amendment 6, labeled 32-LS0480\A.10, Fisher, 3/31/21, which read as follows:

Page 2, line 19, following "radiographs":

Insert "and maintain and register dental radiological equipment under AS 08.36.075"

[4:23:16 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion

[4:23:20 PM](#)

REPRESENTATIVE KAUFMAN said that the purpose of Amendment 6 is to link the standards of radiological safety and equipment required of dentists to holders of an advanced practice permit.

[4:23:48 PM](#)

REPRESENTATIVE SPOHNHOLZ stated that she has no objection.

[4:23:59 PM](#)

CO-CHAIR FELDS withdrew his objection. There being no further objection, Amendment 6 was adopted.

[4:24:05 PM](#)

REPRESENTATIVE SPOHNHOLZ moved to adopt Conceptual Amendment 7, which would insert "advanced practice permit dental hygienist" after "permitted a dental assistant employed by a" on page 4, line 31, of HB 111.

[4:24:16 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion.

[4:24:37 PM](#)

REPRESENTATIVE MCCARTY stated his agreement and asked that the text read "an" instead of "a".

[4:24:43 PM](#)

CO-CHAIR FIELDS asked whether there was any objection to Conceptual Amendment 7. [The objection by Co-Chair Fields was treated as removed.] There being none, Conceptual Amendment 7 was adopted.

[4:25:01 PM](#)

The committee took a brief at-ease.

[4:25:21 PM](#)

REPRESENTATIVE MCCARTY moved to adopt Conceptual Amendment 8, which would change the language of page 6, line 10, to read "dental hygienist" instead of "dental hygiene".

[4:25:32 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion and noted that committee members can see the language on Amendment 4, which was withdrawn.

[4:25:43 PM](#)

REPRESENTATIVE SPOHNHOLZ objected because the wording would be grammatically incorrect. She said that page 6, line 10, reads "adult dental and dental hygiene services"; therefore, saying

"dental hygienist services" would be grammatically incorrect and not what the proposed legislation is trying to achieve.

[4:26:05 PM](#)

REPRESENTATIVE MCCARTY asked whether there needs to be special recognition in the proposed legislation for insurance purposes.

[4:26:36 PM](#)

REPRESENTATIVE SPOHNHOLZ explained that Section 6, subsection (b), provides the services which can be billed for, not the providers.

CO-CHAIR FIELDS stated that he is comfortable with the existing semantics in subsection (b).

[4:27:12 PM](#)

REPRESENTATIVE MCCARTY withdrew Conceptual Amendment 8.

[4:27:17 PM](#)

CO-CHAIR FIELDS stated the intention to move HB 111, as amended, at the end of the meeting.

[4:27:34 PM](#)

CO-CHAIR FIELDS opened public testimony on HB 111, as amended. After verifying that no one wished to testify, he closed public testimony.

[HB 111, as amended, was held and revisited later in the meeting.]

HB 151-UNEMPLOYMENT BENEFITS FOR COVID-19

[4:27:50 PM](#)

CO-CHAIR FIELDS announced that the final order of business would be HOUSE BILL NO. 151, "An Act relating to unemployment benefits during a period of state or national emergency resulting from a novel coronavirus disease (COVID-19) outbreak; and providing for an effective date."

[4:28:41 PM](#)

REPRESENTATIVE SPOHNHOLZ moved to adopt Amendment 1, labeled 32-LS0704\B.4, Wayne, 3/31/21, which read as follows:

Page 2, line 28:
Delete "This"
Insert "Section 1 of this"

Page 2, following line 28:
Insert a new bill section to read:
"★ **Sec. 5.** Section 2 of this Act is repealed
March 31, 2022."

Renumber the following bill sections accordingly.

[4:28:44 PM](#)

CO-CHAIR FIELDS objected for the purpose of discussion

[4:28:45 PM](#)

REPRESENTATIVE SPOHNHOLZ explained that, because HB 151 was designed to align with the American Rescue Plan Act of 2021 (ARPA), the original expiration date of all provisions was in September. However, she said, unemployment rates in Alaska begin to rise in September, and she expressed wanting the "per dependent" benefit to extend to one year hence, allowing time for a broader update of the unemployment insurance (UI) program in the state. She said that she wants to ensure that people with children aren't penalized because the proposed legislation is aligned with a federal act.

[4:29:49 PM](#)

CO-CHAIR FIELDS expressed his agreement with Amendment 1 and withdrew his objection.

[4:29:51 PM](#)

REPRESENTATIVES MCCARTY and KAUFMAN objected.

[4:30:03 PM](#)

REPRESENTATIVE MCCARTY shared his perspective that HB 151 is intended to be a "transition" bill to taper the UI program. He said that there would be later opportunity to draft legislation to make permanent changes to the UI program.

[4:30:38 PM](#)

REPRESENTATIVE KAUFMAN said that his concern is that both HB 151 and Amendment 1 would not incentivize people to go back to work and business to resume. He characterized actions taken by the legislature as "doubling down that we are in an emergency" and expressed concern about detrimental effects on businesses that are "trying to get people to come back to work." He shared that he has spoken with business owners who expressed the idea that people won't return to work because "they're comfortable where they are for the time that the money's flowing."

[4:32:00 PM](#)

REPRESENTATIVE NELSON asked whether Amendment 1 would change the fiscal note.

[4:32:43 PM](#)

LENNON WELLER, Economist, Research and Analysis Section, Department of Labor and Workforce Development, answered that modeling the extension through the six-month period of April through September would add approximately \$13.5 million to the total chargeable benefit costs. If the \$75 per dependent benefit was extended through the end of March 2022, he said, the total cost would be \$21.2 million.

[4:34:16 PM](#)

PATSY WESTCOTT, Director, Division of Employment and Training Services, Department of Labor and Workforce Development, concurred with Mr. Weller's response.

[4:34:35 PM](#)

REPRESENTATIVE NELSON asked whether the \$21.2 million would be reimbursed by the federal government.

MS. WESTCOTT responded that the benefits don't technically come out of the "state coffers," they come out of the unemployment insurance trust fund. The resulting impact would be more dollars out of the trust fund, potentially having an impact on tax rates in future years. She stressed that the money is not from the general fund, then deferred to Mr. Weller.

[4:35:40 PM](#)

MR. WELLER noted that, given the state's overall costs and solvency, any additional outlays would impact tax rates in future years. He said, "Any roughly \$10 million draw out of the fund will bring it down by roughly one-tenth of a percentage point." He noted that September is an important month because it's the month used to determine the reserve ratio, and explained that one-tenth of a percentage point would be directly added to employers' solvency taxes for the calendar year 2022.

[4:37:06 PM](#)

REPRESENTATIVE SPOHNHOLZ pointed out that Mr. Weller said that the provision would cost an addition \$8 million over the course of six months to prevent a "benefits cliff" for people who have children and are on unemployment. She also pointed out that the UI fund is not a public assistance benefit, but an insurance fund that every employee pays into. She recalled the March 29, 2021, testimony of Nolan Klouda with the Center for Economic Development at the University of Alaska Anchorage, during which he expressed that there does exist anecdotal evidence of people reducing their work because of UI, but statistically speaking, that is not the case. She said, "Receiving unemployment insurance benefit does not reduce people's interest in working. People want to work. Alaskans want to work. You get meaning, you get dignity that comes with it." She stressed that one-third of those receiving UI benefits have children and commensurate expenses. Regarding Representative McCarty's assertion that the per-dependent benefit under HB 151 is a "transition piece," she said that under the current draft of the proposed legislation, the provision would expire in September and that a special session would be required for the legislature to act. She stated, "Therefore, I think that it seemed like the responsible thing to do, to ensure that people with children continue to get this higher benefit level while we come back and do a deeper dive on what should an updated unemployment insurance benefit look like moving forward, this seemed like a modest compromise."

[4:39:25 PM](#)

REPRESENTATIVE SNYDER asked whether it would be correct to say that, regardless of the repeal date listed, the provision is in effect so long as there is a national or state emergency due to the COVID-19 outbreak.

[4:40:01 PM](#)

MEGAN HOLLAND, Staff, Representative Ivy Spohnholz, Alaska State Legislature, responded that HB 151 is drafted in such a way that the benefits will end on the repeal date. She noted that, as there is no state emergency declaration in place, an end to the national emergency would end the benefits.

[4:40:36 PM](#)

REPRESENTATIVE NELSON recapped the discussion and asked Ms. Westcott whether DOLWD supports Amendment 1.

MS. WESTCOTT replied that DOLWD is "neutral" on the proposed legislation.

REPRESENTATIVE NELSON asked about DOLWD's view of Amendment 1.

MS. WESCOT replied that DOLWD is "neutral" on Amendment 1.

[4:42:05 PM](#)

REPRESENTATIVE KAUFMAN restated his earlier remarks about business owners' belief that people are refusing to return to work. He opined that it's not the UI benefits that are incentivizing people to not work, but the cumulative funding, including emergency relief. He stated that he also has an "issue" with the existence of a national emergency declaration because the situation may not affect Alaska, yet would still "trigger benefits."

[4:43:27 PM](#)

CO-CHAIR FIELDS asked Ms. Westcott whether there are statistics on "refusal to work" issues.

MS. WESTCOTT answered that DOLWD began tracking pandemic-specific data on March 1, 2020, and she said the department has received a little over 3,000 reports of what she called "refusal of suitable work" issues. The vast majority of those were cleared, she said, because the offer of work was either unsuitable or it wasn't a genuine offer of work. Of those 3,000 reports, she said, 398 fact-finding investigations concluded that the offer of work was not suitable, and there have been 208 "refusal of suitable work" issues denied.

[4:45:14 PM](#)

REPRESENTATIVE MCCARTY asked Ms. Westcott to confirm the difference between federal and state UI.

MS. WESTCOTT replied that the Federal Unemployment Tax Act (FUTA) has provisions providing for the administrative funding for the UI program, and the collection of tax contributions at the state level to fund the UI trust fund. Employers in Alaska pay the FUTA tax, which provides funding for the administration of the program, and they also pay a state contribution tax, which supplies the funds to the UI trust fund in order to pay benefits.

REPRESENTATIVE MCCARTY remarked that he is a business owner, so he understands. He then asked whether the \$13.5 million for the per-dependent allowance extension would come out of the state UI trust fund.

MS. WESTCOTT replied yes, and explained that since the allowance for dependents is a state provision, any benefit that Alaska pays out would come from the UI trust fund.

REPRESENTATIVE MCCARTY stated his perception that, due to the COVID-19 pandemic, "the employers' contribution to the unemployment insurance has gone up almost a full percent to employers, but not to the employees."

MS. WESTCOTT replied that she doesn't know how much the tax rates have increased, and deferred to Mr. Weller.

MR. WELLER answered that in 2020 the average rate class for employers was the statutory minimum of 1 percent, and the average rate class is 1.41 percent in 2021. He explained that there are 20 rate classes, ranging from a minimum rate of 1 percent for rate classes one through five, and 2.07 percent for rate class 20. He said, "It is potentially true that you could have had a doubling, or a full percentage point increase, in your tax rate, but you would have had to have been in tax class 20, meaning that you would have had to have some pretty significant swings, or fluctuations, in your payroll, so you were likely a highly seasonal employer, meaning your employees, or former employees, are likely drawing significant dollars from the fund."

[4:49:41 PM](#)

REPRESENTATIVE SPOHNHOLZ clarified that the federal money from ARPA funds would only apply to the waiver of the one-week

waiting period. She also stated that the committee has heard research presented that the federal relief funds increased consumer spending by 44 percent. She then pointed out that the \$600 per week federal wage replacement, which was so concerning to employers, expired last July. She shared her understanding that there is an amount that an employers' tax rate for UI can increase, and that it can only be increased three-tenths of a percent per increment, so it couldn't double in a short period of time.

[4:51:00 PM](#)

A roll call vote was taken. Representatives Fields, Spohnholz, Schrage, and Snyder voted in favor of Amendment 1. Representatives Nelson, Kaufman, and McCarty voted against it. Therefore, by a vote of 4-3, Amendment 1 was adopted.

[4:51:49 PM](#)

CO-CHAIR FIELDS opened public testimony on HB 151.

[4:52:03 PM](#)

CARA DURR, Director of Public Engagement, Food Bank of Alaska, presented a statement [included in the committee packet] in support of HB 151, which read as follows [original punctuation provided]:

During the pandemic, hunger has increased dramatically. Map the Meal Gap, which is a research project of Feeding America, estimates that food insecurity in Alaska has increased 32% in 2020. Looking at children specifically, hunger has increased 44%. The Kulsilvak Census Area has emerged as the most food insecure region of the country for kids during the pandemic. Southeast Alaska, which typically experiences lower levels of food insecurity, has seen a huge jump in child food insecurity. Skagway, for example, has seen an estimated 72% increase in child food insecurity during the pandemic.

To meet these needs, Food Bank of Alaska and our over 150 agency partners statewide have worked incredibly hard to source and distribute more food than ever before. Food Bank distributed 43% more pounds of food in the last six months of 2020, compared with the same time frame in 2019. We are still experiencing

heightened levels of need, and we have seen record numbers within multiple programs in just the last few months. We anticipate that we will continue to see elevated numbers for quite some time, even as things related to the pandemic improve, as the economic impacts will linger.

Hunger does not exist in a vacuum, and a lack of food is a direct result of a lack of resources. Unemployment insurance has been a critical resource for so many Alaskans during this pandemic. Families have been hit hard during this pandemic, as many have struggled with the loss of income and a lack of childcare options. This bill strengthens this resource in important and targeted ways. While we have many reasons to feel optimistic about the future, economic recovery is not going to happen with the flip of a switch and will likely be experienced unevenly by different groups of people. The better we can support Alaskans as we move towards recovery, the faster the recovery will be, and the shorter our lines at the food bank will be.

[4:53:50 PM](#)

TREVOR STORRS, President and CEO, Alaska Children's Trust, testified in support of HB 151. He said that one of the most effective ways of preventing child abuse and neglect is by addressing the social determinants contributing to an environment that promotes trauma and discourages building the skills necessary to manage it. A key social determinant, he said, is economic well-being. Alaska is ranked thirty-sixth in the nation for overall child well-being, and thirty-fourth for family economic well-being. He said that growing up in poverty is a major barrier to healthy development and increases the likelihood of poor academic, cognitive, and health outcomes. In 2019, he said, 14 percent of Alaska's children lived at, or below, the federal poverty level, and 6 percent lived in families experiencing "extreme" poverty, defined as 50 percent of the federal poverty level. One quarter of children live in households with a high housing cost burden, he said, and he pointed out that these figures are all pre-pandemic. The pandemic has magnified these issues, he said, and nearly 20 percent of adults living in households with children reported "little or no confidence" in their ability to pay the next rent or mortgage payment on time, and nearly 15 percent reported "sometimes or often" not having enough food. He said that an

average of 38 percent of adults living in households with children reported having difficulty paying for the usual household expenses, and over 50 percent have lost their jobs since March 2020. He said that HB 151 would directly provide a measure of economic stability to Alaska's most vulnerable families, and that without it, there would be greater strain on families, thereby putting children at risk.

[4:56:09 PM](#)

CO-CHAIR FIELDS, after ascertaining that no one else wished to testify, closed public testimony on HB 151.

[4:56:23 PM](#)

The committee took a brief at-ease.

[4:56:30 PM](#)

REPRESENTATIVE SCHRAGE moved to report HB 151, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

[4:56:48 PM](#)

REPRESENTATIVE NELSON objected for the purpose of discussion.

REPRESENTATIVE NELSON asked Ms. Westcott whether there would be an updated fiscal impact forecast.

MS. WESTCOTT said that the committee could be provided with updated information.

REPRESENTATIVE NELSON said that he would like to wait for the updated information before voting.

[4:57:39 PM](#)

CO-CHAIR FIELDS noted that the committee coordinated with DOLWD on the fiscal impact of Amendment 1.

[4:57:45 PM](#)

MS. HOLLAND pointed out that even without a formal fiscal note, the fiscal impact is clear. She recounted a conversation with Mr. Weller and said that he characterized the fiscal impact

resulting from Amendment 1 as a "rather nominal change" from the original version of the proposed legislation.

4:58:27 PM

CO-CHAIR FIELDS added that the committee looked at different options for transitioning away from the elevated levels of benefits, and the provisions in Amendment 1 had a "very modest" impact on the fund.

MR. WELLER concurred with Co-Chair Fields' statement and said, "The total difference went from about \$13.5 million to \$21.2 [million], the difference between the two being roughly \$8 million total over that 12-month period." He said that under either scenario he expects the fund to remain solvent.

CO-CHAIR FIELDS asked what the size of the fund is.

MR. WELLER replied that the latest balance was approximately \$265 million. Without the change, he said, he would expect the March 2022 balance to be \$285.2 million; with the change, the March 2022 balance should be \$263.4 million.

CO-CHAIR FIELDS said that the change would not affect sustainability.

4:59:40 PM

REPRESENTATIVE KAUFMAN commented that this proposed legislation would create a "local obligation" and said, "It was noted earlier that the federal money is available for the first week ... but as amended, so that extends that period into a period where that first week would not be funded federally." He restated his perception that business owners are hurting and that returning to work should be incentivized. He then said, "There's so much federal money coming that I believe that [if] it was properly applied, it could do much of the work that's being expected of this bill, without creating the local obligation." He stated that, even though he is sympathetic to those who have lost their jobs, he does not support HB 151.

5:01:00 PM

CO-CHAIR FIELDS asked Ms. Westcott to clarify what would be covered by federal funds.

MS. WESTCOTT stated that federal funds would continue to cover the first week of benefits if a state has a waiting week waiver provision. The way HB 151 was drafted, she said, the first week of benefits would be federally funded through September 6, 2021. She stressed that the provision for dependents, not the waiting week provision, would affect the UI trust fund.

CO-CHAIR FIELDS pointed out that the provision for dependents is \$50 per week, which he characterized as approximately what it costs to feed a child. He said, "We have an opportunity to reduce childhood hunger," pointing out that his district has seen "sharp" increases in child hunger and that it's difficult for children to do well in school if they're hungry.

[5:03:02 PM](#)

REPRESENTATIVE KAUFMAN restated his perception that "there's so much other money coming," and restated his belief that relief funds disincentivizes returning to work.

[5:03:41 PM](#)

REPRESENTATIVE NELSON asked whether there would be a timeframe for the updated fiscal note to be available.

MS. WESTCOTT replied that her staff would begin work on the fiscal note now that the amendment has been adopted. She gave the approximate timeframe of mid-afternoon the following day.

[5:04:28 PM](#)

REPRESENTATIVE SCHRAGE stated that he supports HB 151 and recounted various points from the testifiers. He said, "I think there is an argument to be said for making sure that folks are motivated to get back to work, but given the numbers of families that we see utilizing the food bank and struggling during this time, I have a hard time believing that those families would refuse a job, if offered one." He expressed that the proposed legislation would allow the flexibility to smoothly navigate the situation while helping those who most need it.

[5:05:49 PM](#)

REPRESENTATIVE MCCARTY stated his support for HB 151 and said, "I, personally, as an employer, have witnessed two occasions where people have refused work because they're making unemployment money bigger than that, or they just like the

unemployment money and not going to work ... I witnessed it, I have many employers have shared the same stories in my district."

5:06:56 PM

REPRESENTATIVE KAUFMAN opined that one of the reasons for the lines at the food banks is because businesses are shut down, and he said that he's talked to businesses who could have operated and hired people. He expressed the desire to take a more "managed risk" to open the economy, and said that while it's "great" to support people in times of need, what the committee should be focusing on is commerce and getting businesses "back to work." He said:

I'm taking the tough decision to say 'We need to start looking at the differently,' and that goes all the way from these wholesale disaster declarations which enabled bills like this, to the concept that get flowed down to the communities where they're all too willing to shut things down because of fear, or whatever the motivation may be. But we need to get Alaska back to work.

REPRESENTATIVE KAUFMAN said that, with regrets, he cannot support HB 151 as written or amended.

5:09:46 PM

REPRESENTATIVE SPOHNHOLZ stated that she supports Alaska being "open for business" and said that no one in the legislature wants Alaska to be closed. She said that she wants people to have the opportunity for meaningful work, saying, "I just want to be really clear that what people are describing when they're saying that folks are declining work in order to continue to collect unemployment benefits is, in fact, unemployment insurance fraud, and that is prosecutable by law." She stated that establishing a provision to take advantage of federal funds and allow very modest, sustainable per-dependent benefits does not enable people to break the law. She stressed that HB 151 would not increase benefits "across the board," but that the per-dependent benefit would allow those who have children and are not able to work should be able to get what she characterized as a "modest" increase.

5:11:09 PM

A roll call vote was taken. Representatives Schrage, Snyder, Nelson, Spohnholz, Fields, and McCarty voted in favor of reporting HB 151, as amended, out of the House Labor and Commerce Standing Committee. Representative Kaufman voted against it. Therefore, by a vote of 6-1, CSHB 151(L&C) was reported out of the House Labor and Commerce Standing Committee.

HB 111-DENTAL HYGIENIST ADVANCED PRAC PERMIT

[5:11:55 PM](#)

CO-CHAIR FIELDS announced that the final order of business would be a return to HOUSE BILL NO. 111, "An Act relating to the practice of dental hygiene; relating to advanced practice permits for dental hygienists; relating to dental assistants; prohibiting unfair discrimination under group health insurance against a dental hygienist who holds an advanced practice permit; relating to medical assistance for dental hygiene services; and providing for an effective date."

[5:12:02 PM](#)

REPRESENTATIVE SCHRAGE moved to report HB 111, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 111(L&C) was reported out of the House Labor and Commerce Standing Committee.

[5:12:43 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 5:13 p.m.